



CITY OF CLEVELAND
Office of the Council

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Patricia J. Britt, MSW, MMC
CITY CLERK, CLERK OF COUNCIL

April 12, 2019

COMMITTEE OF THE PETITIONERS:
"AN ORDINANCE BY INITIATIVE PETITION TO PROTECT THE CHILDREN OF
CLEVELAND FROM POISONING BY REQUIRING RENTAL PROPERTIES TO BE
MADE SAFE FROM LEAD HAZARDS"

Lawrence Bresler, 2671 Haddam Rd., Cleveland, Ohio 44120
Rosemarie E. Driscoll, 4605 Bridge Ave., Cleveland, Ohio 44102
Jesse H. Faley, 1444 West 81st St., Cleveland, Ohio 44102
Yvonka M. Hall, 18115 Harvard Ave., Cleveland, Ohio 44128
Jeffrey D. Johnson, 13508 Larchmere Blvd., Cleveland, Ohio 44120
Diana King, 2526 Griffing Ave., Cleveland, Ohio 44120
Chris Knestrick, 3320 Monroe Ave., Cleveland, Ohio 44113
Jeffrey B. Mixon, 1188 East 86th St., Cleveland, Ohio 44108
Christopher Stocking, 6404 Bridge Ave., Cleveland, Ohio 44102
Darrick Wade, 3750 Fleming Ave., #303, Cleveland, Ohio 44115

The Initiative Petition filed with the Clerk on April 2, 2019, does not contain election falsification language mandated by Ohio Revised Code Section 3501.38 (J) and therefore is rejected as facially invalid.

Election statutes are mandatory and must be strictly complied with. Even though the Initiative Petition contained a sufficient number of signatures, the fact that it does not contain the statutorily required language causes it to be invalid as a matter of law.

Revised Code Section 3501.38 General rules for petitions and declarations of candidacy.

All declarations of candidacy, nominating petitions, or other petitions presented to or filed with the secretary of state or a board of elections or with any other public office for the purpose of becoming a candidate for any nomination or office or for the holding of an election on any issue shall, in addition to meeting the other specific requirements prescribed in the sections of the Revised Code relating to them, be governed by the following rules:

...

(J) All declarations of candidacy, nominating petitions, or other petitions under this section shall be accompanied by the following statement in boldface capital letters: **WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.**

Patricia J. Britt
City Clerk, Clerk of Council

4/12/19

Date